

United States District Court
Southern District of Texas

ENTERED

July 01, 2022

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

PETE BUTTIGIEG, Secretary of
Transportation,

Plaintiff,

v.

ADVERSITY TRANSPORT INC.,
4 LIFE TRANSPORT CORPORATION,
DELREY BOWIE, SHAQUAN JELKS,
and SHALONDA CROSS,

Defendants.

CIVIL ACTION NO. H-22-0817

FINAL JUDGMENT

In accordance with the court's Order entered today granting Plaintiff's Motion for Summary Judgment, the court ORDERS, ADJUDGES, and DECREES that

(1) judgment is hereby entered for Plaintiff declaring that Defendants' continued operation of commercial motor vehicles ("CMVs") in interstate commerce after being declared an imminent hazard and receiving an Imminent Hazard Order is in violation of federal statutes and regulations;

(2) judgment is hereby entered for Plaintiff declaring that Defendants' for-hire motor carrier operations in interstate commerce without required operating authority registration and U.S.

Department of Transportation ("USDOT") number and safety registration from the Federal Motor Carrier Safety Administration ("FMCSA") are in violation of federal statutes and regulations;

(3) Defendants must fully comply with the Imminent Hazard Orders of January 21, 2022, and February 11, 2022, and are enjoined from operating any CMV or motor carrier in interstate commerce unless and until (a) Defendants have demonstrated to Plaintiff's satisfaction that they are fully in compliance with the Adversity Transport Inc. and 4 Life Transport Corporation Imminent Hazard Orders; and (b) Plaintiff has rescinded those orders in reliance upon Defendants' showing of satisfactory compliance;

(4) Defendants are prohibited from (a) operating any CMV or motor carrier that requires operating authority registration from the FMCSA; and (b) contracting with - or arranging for - transportation of property on CMVs, unless and until Defendants obtain proper operating authority registration and a USDOT number and safety registration from the FMCSA; and

(5) Each Defendant is prohibited from continuing operations under any other name or in the name of any other legal entity, or from applying for a USDOT number and/or FMCSA operating authority registration under any other name or in the name of any other legal entity.

All other relief sought by Plaintiff is DENIED WITHOUT PREJUDICE.

Costs will be taxed against Defendants.

This is a FINAL JUDGMENT.

SIGNED at Houston, Texas, on this the 1st day of July, 2022.



SIM LAKE
SENIOR UNITED STATES DISTRICT JUDGE